

CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**
of **January 18, 2005**
at **7:00 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Study Session -- See Attached Agenda.**

**** 6:05 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

**Presentation: Donation to American Red Cross from City Employees for Tsunami Victims
Employee Recognition**

6:05 P.M. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (2 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. Award Homes v. LAFCO and City of Hollister
 - b. RWQCB – Cease and Desist Order No. R3-2002-0105
 - c. City of Hollister vs Monterey Insurance Company, California Capital Insurance Company, case number M65916
 - d. Nicholson v. Hollister, Case No. CU-04-00063
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
 - 5. Personnel – City Manager Evaluation and Contract.

7:00 P. M. - AGENDA

A. CONSENT RESOLUTION (January 18, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, A5, A6 and A7.

- A1. Minutes of Regular Meeting of January 3 and Special Meeting of January 10, 2005.

Approve Minutes of the Regular Meeting of January 3 and Special Meeting of January 10, 2005, as submitted.

- A2. Warrant Register.

The City Council will ratify and approve the following Warrant Register:

- December 29, 2004 \$ 688,745.01

A3. Claim Against the City – Rebecchi.

A claim against the City has been filed by Lawrence Rebecchi. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

A4. ABC License Review – Straw Hat Pizza Restaurant.

City Council should acknowledge receipt of the ABC license review for an on-sale beer and wine license for Straw Hat Pizza Restaurant at 191 San Felipe Road, Suite A, and order it filed.

A5. Monthly Investment Report.

The City Council will receive the Monthly Investment Report as of September 30, 2004, and order it filed.

A6. Human Resource Analyst Full-time Staffing Request.

City Council will authorize the hiring of one full-time Human Resource Analyst to replace retired employee.

A7. Resolution No. 2005-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DIRECTING THE CHANGE IN SIGNATORIES FOR ACCOUNTS WITH FINANCIAL INSTITUTIONS.

This Resolution authorizes the current titles to sign and/or make changes with the various Financial Institutions where the City conducts business.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or About 7:00 p.m.)

None

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

None

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Receive oral report regarding the Southeast Neighborhood Park bids.

Staff will be providing City Council with an oral report regarding the bids received on January 6, 2005 for the Southeast Neighborhood Park project.

2. Receive oral report regarding the status of the Capital Improvement Project Program.

Staff will be providing City Council with an oral report regarding the status of the Capital Improvement Project Program.

3. Receive report regarding water and wastewater issues.

Staff will be providing the City Council with an update of water and wastewater issues.

4. Mayoral appointments.

Mayor Valdivia will make appointments to the Fire Task Force, an Ad Hoc Committee for Homeless Issues and an Ad Hoc Committee for the Housing Element.

5. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

F. UNFINISHED BUSINESS:

None

G. NEW BUSINESS:

None

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for February 7, 2005, at 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].